

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SHARYL THOMPSON ATTKISSON, et al., Plaintiffs, v. ERIC HOLDER, et al., Defendants.	Civil Action No. 1:17-cv-364 (LMB/JFA)
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**PLAINTIFFS' MOTION FOR STATUS CONFERENCE AND MOTION FOR
EXTENSION OF CERTAIN DISCOVERY DEADLINES**

On September 25, 2017, the Court released the parties to begin discovery. Since that time, Plaintiffs took a deposition of as USPS representative regarding IP addresses; served twenty (20) subpoenas on third parties; and on October 25, 2017 submitted a request to the government for the deposition of one or more representatives of the FBI to respond to inquiries about an FBI policy in place during the relevant time frame pertaining to surveillance of journalists. Plaintiffs have spent the past ten (10) working days meeting and conferring with representatives of the various subpoenaed parties to refine the scope and search terms for production of third-party records in an effort to avoid court hearings, and have also been meeting and conferring with the various government agencies regarding Touhy compliance, scope and search issues associated with subpoenas directed to the eight (8) agencies.

In the interim, the Court entered an Order dismissing certain claims, but leaving intact multiple claims against the John Doe defendants. Under the existing schedule, Plaintiffs' expert disclosure is due November 20, 2017, and fact discovery is scheduled to close on January 12, 2018.

Given the discovery completed to date, Plaintiffs have identified one and possibly two parties they anticipate moving to substitute for the Doe defendants. Plaintiffs anticipate being in a position to make that initial substitution upon receipt of outstanding discovery requested from the third-parties and from the government.

In light of the foregoing, Plaintiffs request a brief status conference to address managing future proceedings, discovery, and the timing of the substitution of parties for the Doe defendants. Additionally, Plaintiffs request that the scheduling order be modified to extend the discovery window and to extend the deadline for expert disclosure, given that Plaintiffs have not yet received substantial discovery despite working diligently to do so.

Dated this 16th day of November, 2017.

Respectfully Submitted,

SHARYL THOMPSON ATTKISSON
JAMES HOWARD ATTKISSON
SARAH JUDITH STARR ATTKISSON

By Counsel

/s/ E. Kyle McNew
J. Gregory Webb, Esq. (VA Bar No. 38157)
David W. Thomas, Esq. (VA Bar No. 73700)
E. Kyle McNew, Esq. (VA Bar No. 73210)
MichieHamlett PLLC
500 Court Square, Suite 300
Post Office Box 298
Charlottesville, VA 22902-0298
Tel. 434-951-7200
Fax: 434-951-7218
dthomas@michiehamlett.com
gwebb@michiehamlett.com
kmcnew@michiehamlett.com

C. Tab Turner, Esq. (admitted *pro hac vice*)
TURNER & ASSOCIATES, P.A.

4705 Somers Avenue, Suite 100
North Little Rock, AR 72116
(501) 791-2277
tab@tturner.com

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of November, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to the following counsel of record:

Andrew Han, Esq.
Dennis Carl Barghaan, Jr., Esq.
Office of the United States Attorney
Justin W. Williams U.S. Attorney's Building
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: 703-299-3970
Fax: 703-299-3983
Andrew.han@usdoj.gov
Dennis.barghaan@usdoj.gov
Lauren.wetzler@usdoj.gov
*Counsel for Defendants Eric Himpton Holder, Jr.,
Patrick R. Donahoe, Postal Service,
and United States of America*

/s/ E. Kyle McNew
J. Gregory Webb, Esq. (VA Bar No. 38157)
David W. Thomas, Esq. (VA Bar No. 73700)
E. Kyle McNew, Esq. (VA Bar No. 73210)
MichieHamlett PLLC
500 Court Square, Suite 300
Post Office Box 298
Charlottesville, VA 22902-0298
(434) 951-7200; (434) 951-7218 (Facsimile)
dthomas@michiehamlett.com
gwebb@michiehamlett.com
kmcnew@michiehamlett.com